

Town Board Minutes
(Municipal Review Committee)

**Meeting
No. 29**

Special Meeting

August 16, 2004

Town Board Minutes

August 16, 2004

Meeting No. 29

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 16th day of August 2004, at 6:30 PM and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPNIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MICHAEL MYSZKA, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for one (1) action.

**IN THE MATTER OF THE SEQR REVIEW OF THE
SBA NETWORK SERVICES, INC. SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the SBA Network Services, Inc. site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

**THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER SOCHA
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:**

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
SBA NETWORK SERVICES, INC. SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately <1 acre.

The location of the premises being reviewed is situate on S. Penora Street, south of William Street, east of Transit Road, County of Erie, Lancaster, New York 14086.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:
(except as noted)

- C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

No significant adverse effects noted

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No significant adverse effects noted

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No significant adverse effects noted

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No significant adverse effects noted

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No significant adverse effects noted

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No significant adverse effects noted

- C.7 Other impacts (including changes in use of either quantity or type of energy).

No significant adverse effects noted

- D. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

August 16, 2004

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

| | |
|------------------------------------|------------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |
| PLANNING BOARD MEMBER ANDERSON | WAS ABSENT |
| PLANNING BOARD MEMBER GOBER | VOTED YES |
| PLANNING BOARD MEMBER KORZENIEWSKI | VOTED YES |
| PLANNING BOARD MEMBER MYSZKA | VOTED YES |
| PLANNING BOARD MEMBER SOCHA | VOTED YES |
| PLANNING BOARD MEMBER SZYMANSKI | VOTED YES |
| PLANNING BOARD CHAIRMAN KEYSA | WAS ABSENT |

The Notice of Determination was thereupon unanimously adopted.

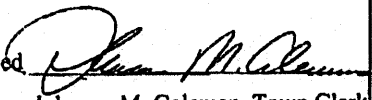
August 16, 2004

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY
COUNCIL MEMBER AMATURA FOR ADJOURNMENT OF THE MEETING, which
resulted as follows:

| | |
|------------------------------------|------------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |
| PLANNING BOARD MEMBER ANDERSON | WAS ABSENT |
| PLANNING BOARD MEMBER GOBER | VOTED YES |
| PLANNING BOARD MEMBER KORZENIEWSKI | VOTED YES |
| PLANNING BOARD MEMBER MYSZKA | VOTED YES |
| PLANNING BOARD MEMBER SOCHA | VOTED YES |
| PLANNING BOARD MEMBER SZYMANSKI | VOTED YES |
| PLANNING BOARD CHAIRMAN KEYSA | WAS ABSENT |

The meeting was adjourned at 6:40 P.M.

Signed 
Johanna M. Coleman, Town Clerk

Town Board Minutes

**Meeting
No. 30**

Regular Meeting

August 16, 2004

Town Board Minutes

August 16, 2004

Meeting No. 30

A Regular Meeting of the Town Board of the Town of Lancaster, Eric County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 16th day of August at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
CHRISTINE FUSCO, ASSESSOR
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

PERSONS ADDRESSING TOWN BOARD:

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- Asked questions about Pleasant Meadows Subdivision regarding:
 - 1.) Traffic study.
 - 2.) Wetland.
 - 3.) Spine road.

Fronczak, Mike, 3 Woodstream, spoke to the Town Board on the following matter:

- Concerns/questions regarding hunting in the area of the proposed hike/bike trail.

Gull, Hank, 710 Pavement Road, spoke to the Town Board on the following matter:

- Questions regarding the funding sources for proposed clocks.

Howell, Gary, 48 Park Blvd., spoke to the Town Board on the following matters:

- Supports the clock tower and is pleased that federal tax dollars are being used for this purpose.
- Questions about the location of the proposed hike/bike trail.
- Questions about the proposed Police/Court building.

Sherry, Tim, 62 Rehm Road, spoke to the Town Board on the following matter:

- Asks that the Town Board considers carefully all environmental issues related to the future buildout of the Pleasant Meadows Subdivision and that they pay particular attention to traffic concerns.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- Recommends that the Town Board locate a band shell in Westwood Park. He feels that Westwood Park is an ideal location and he would be pleased to donate engineering design to effectuate such a project.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of The Planning Board and
the Town Board held August 2, 2004 and the Regular Meeting of the Town Board Held August
2, 2004 be and are hereby approved..

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

August 16, 2004

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Emergency Communications Network Inc., 9 Sunshine Blvd.,
Ormond Beach, FL 32174, has proposed the licensing of a specialized communications system
known as CodeRED to the Town of Lancaster which will provide for what has been termed
"reverse 911" capability, and

WHEREAS, the Town Board has reviewed the proposal and finds that the system
will be both efficient, useful and cost effective to the Town by providing a means for the Town
to place automatic phone calls to residents where an emergency message is deemed necessary,
and

WHEREAS, the proposal provides that a two year agreement be entered into
at a total cost of \$10,000, and

WHEREAS, the Town Board deems it in the public interest to enter into an
agreement to acquire the license to use the CodeRED system in the Town of Lancaster.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town Of Lancaster hereby authorizes
the Supervisor of the Town of Lancaster to enter into an agreement with Emergency
Communications Network Inc. to provide for the licensing of the CodeRED service to the Town
of Lancaster for a period of two years at a base sum of \$10,000.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

August 16, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids for One (1) Compact Excavator for use by the Highway Department, and

WHEREAS, bids were received, opened and reviewed on August 5, 2004, and

WHEREAS, the Highway Superintendent by letter dated August 5, 2004, has recommended award of the bid to John R. Freundschuh Inc., d/b/a BOBCAT OF BUFFALO, 6511 South Transit Road, Lockport, New York 14094 being the lowest responsible bidder in the amount of \$51,226.21.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the Bid for One (1) Compact Excavator for use by the Highway Department, to John R. Freundschuh Inc., d/b/a BOBCAT OF BUFFALO, 6511 S. Transit Road, Lockport, New York 14094 in the amount of \$51,226.21 being the lowest responsible bidder in conformance with the specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-----------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

August 16, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, Council Member Ronald Ruffino of the Town of Lancaster has requested the purchase of One (1) 40' tower clock with carillon for placement in Westwood Park, Two (2) street clocks for placement in the Village of Lancaster and the Village of Depew and one carillon for the Town Hall Clock Tower, and

WHEREAS, federal grant monies are being provided from Housing and Urban Development (HUD) through their Economic Development Initiative Program (EDI) in the sum of \$140,000, and

WHEREAS, the Town Board recommends that such purchase be authorized;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

2. That Bids be received by the Town Clerk on August 31, 2004 at 10:00 o'clock A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing One (1) 40' tower clock with carillon for placement in Westwood Park, Two (2) street clocks for placement in the Village of Lancaster and the Village of Depew and one carillon for the Town Hall Clock Tower in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

August 16, 2004

File: relockgrantwestwoodpark804

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 o'clock A.M., Local Time, on the 31st day of August, 2004, for the purpose of providing One (1) 40' tower clock with carillon for placement in Westwood Park, Two (2) street clocks for placement in the Village of Lancaster and the Village of Depew and one carillon for the Town Hall Clock Tower, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five percentum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN
Town Clerk

August 16, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director
of Administration and Finance, to wit:

Claim No. 10190 to Claim No. 10552 Inclusive

Total amount hereby authorized to be paid: \$ 607,474.62

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

| | |
|-------------------------|-----------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

August 16, 2004

File: Relaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

| | | | | |
|-------|-------------------------|---------------------|--------------------------|-------|
| 12160 | Catco Inc | 1266 Townline Rd | Er. Comm. Bldg. | |
| 12161 | Gierk, Steven | 14 Candlestick Ct | Er. Shed | |
| 12162 | Iroquois Fence Inc | 23 Lombardy St | Er. Fence | (V/L) |
| 12163 | Mutton, Carol | 1698 Como Park Blvd | Er. Fence | |
| 12164 | Mutton, Carol | 1698 Como Park Blvd | Er. Deck | |
| 12165 | Duro-Shed Inc | 20 Heathrow Ct | Er. Shed | |
| 12167 | North Forest Properties | 2801 Wehrle Dr | Er. Sign-Wall - Suite 5 | |
| 12168 | North Forest Properties | 2801 Wehrle Dr | Er. Sign-Wall - Suite 11 | |
| 12169 | Capital Fence Co Inc | 29 Biscayne Dr | Er. Fence | |
| 12170 | Jim's General Const | 6615 Transit Rd | Er. Comm. Add./Alt. | |
| 12171 | Randaccio Builders | 7 Heathrow Ct | Er. Dwlg.-Sin. | |
| 12172 | Baraniak, John | 43 Robert Dr | Er. Pool-Abv Grnd | (V/L) |
| 12173 | Baraniak, John | 43 Robert Dr | Er. Deck | (V/L) |
| 12174 | Home Owners Helper | 19 Cotton St | Er. Garage | (V/L) |
| 12175 | Lovejoy Builders Inc | 27 Ann Marie Dr | Er. Dwlg.-Sin. | |
| 12176 | Marrano/Marc Equity | 31 Ashwood Ct | Er. Dwlg.-Sin. | |
| 12177 | Harter, James | 56 Church St | Er. Garage | (V/L) |
| 12178 | Braun, Richard | 22 Ravenwood Dr | Er. Shed | |
| 12179 | Naab, Joseph | 16 Newell Ave | Er. Deck | (V/L) |
| 12180 | Iroquois Fence Inc | 5133 William St | Er. Fence | |
| 12181 | Friedman, Scott | 18 Fox Trace | Er. Pool-Abv Grnd | |
| 12182 | Friedman, Scott | 18 Fox Trace | Er. Deck | |
| 12183 | Duro-Shed Inc | 15 Buckingham Ct | Er. Shed | |
| 12184 | Tucker Homes Inc | 7 Chestnut Corner | Er. Dwlg.-Sin. | |
| 12185 | Tucker Homes Inc | 33 Windcroft Ln | Er. Dwlg.-Sin. | |
| 12186 | Duro-Shed Inc | 3 Heather Ln | Er. Shed | (V/L) |
| 12187 | American Sales Inc | 4201 Walden Ave | Er. Sign-Temp | |
| 12188 | Kuras, Carl | 8 Lakeside Cres | Dem. Garage | (V/L) |
| 12189 | Miller, William | 69 Pleasant View Dr | Er. Fence | |
| 12190 | Metz, James | 44 Brady Ave | Er. Res. Alt. | (V/L) |
| 12191 | UPS Store | 4779 Transit Rd | Er. Sign-Temp | |

| | | | | |
|----------|-------------------------|--------------------|-------------------|-------|
| 12192 | Battaglia, Stephen | 35 Sussex Ln | Er. Deck | |
| 12193 | Iroquois Fence Co | 81 Wilma Dr | Er. Fence | (V/L) |
| 12194 | Battaglia, Stephen | 35 Sussex Ln | Er. Shed | |
| 12195 | Duro-Shed Inc | 9 Fox Trace | Er. Shed | |
| 12196 SW | Nigel Enterprises | 200 Ransom Rd | Er. Dwlg.-Sin. | |
| 12197 | Picket Fence & Ext. | 3 Sherborne Ave | Er. Fence | (V/L) |
| 12198 | Benderson Devel. | 6375 Transit Rd | Er. Comm. Alt. | |
| 12199 | Duro-Shed Inc | 46 Trentwood Trl N | Er. Shed | |
| 12200 | Lancaster Home Improv. | 313 Ransom Rd | Er. Garage | |
| 12201 | Emma, Charles | 6187 Broadway | Er. Deck | |
| 12202 | McCall, Rev. Nelson | 26 Rehm Rd | Er. Comm. Add. | |
| 12203 | Lancaster Plumbing | 46W Drullard Ave | Er. Res. Plumbing | (V/L) |
| 12204 | Colley's Pool Sales Inc | 60 Newberry Ln | Er. Pool-In Grnd | |
| 12205 | Colley's Pool Sales Inc | 60 Newberry Ln | Er. Fence | |
| 12206 | Olympic Builders | 72 Michael's Walk | Er. Res. Add. | |
| 12207 | Burgio, Russell | 89 Steinfeldt Rd | Er. Shed | |
| 12208 | Economy Tree Service | 5182 Genesee St | Dem. Dwlg. | |
| 12209 | Travis, John | 53 Stutzman Rd | Dem. Dwlg. | |
| 12210 | Kosinski, Timothy | 3 Nottingham Ln | Er. Shed | |
| 12211 | DeGeorge Ceilings Inc | 2 Creekwood Dr | Er. Deck | |
| 12212 | Donato Homes Inc | 38 Stone Hedge Dr | Er. Dwlg.-Dbl. | |
| 12213 | Stablewski, Michael | 5513 Broadway | Er. Dormers | (V/L) |

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

| | |
|-------------------------|-----------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |

August 16, 2004

File: Rbldg2

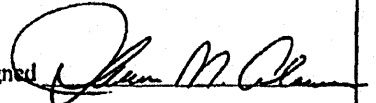
COMMUNICATIONS & REPORTS:

382. Town Clerk to Town Board -
Transmittal of monthly report for July 2004. DISPOSITION = Received & Filed
383. Highway Superintendent to Town Board -
Request resolution to purchase compact excavator. DISPOSITION = Resolution 8/16/04
384. Erie County Commissioner of Personnel to Supervisor, Police Chief -
Notice of 2004 Police Officer/Deputy Sheriff Criminal Exam to be held December 4, 2004. DISPOSITION = Police Chief
385. Greater Buffalo-Niagara Regional Transportation Council to Town Board -
Notice of meeting to be held August 11, 2004. DISPOSITION = Received & Filed
386. Village of Lancaster to Town Board -
Notice of closure of Clark Street parking lot for Taste of Lancaster, August 6 - 7, 2004. DISPOSITION = Received & Filed
387. Kathy Wahl to General Crew Chief -
Letter regarding baseball diamond lighting at Westwood Park. DISPOSITION = Parks & Recreation Committee
388. Lancaster Town Band to Supervisor -
Letter of appreciation for support for proposed band shell in Oxford Park. DISPOSITION = Received & Filed
389. Newspaper Article to Community -
Article regarding proposed Kohl's Department Store on Transit Road. DISPOSITION = Received & Filed
390. Planning Commission Chairman, Village of Lancaster to Supervisor -
Notice of approval by Planning Commission for Four-Faced Post Clock on Pleasant Avenue West. DISPOSITION = Received & Filed
391. Civil Technologies and Engineering, P.C. to Supervisor -
Request to be placed on bidder's list for future projects. DISPOSITION = Received & Filed
392. Village of Lancaster to Town Board -
Transmittal of minutes of official meeting held June 14, 2004. DISPOSITION = Received & Filed
393. Village of Lancaster to Town Board -
Transmittal of minutes of official meeting held June 28, 2004. DISPOSITION = Received & Filed
394. Village of Lancaster to Town Board -
Transmittal of minutes of official meeting held July 26, 2004. DISPOSITION = Received & Filed
395. Town Engineer to Town Board -
Recommend acceptance of Public Improvement at Michael's Landing Phase II, specifically #588 - Street Lights. DISPOSITION = For Resolution
396. Town Attorney to Town Board, Planning Board, Town Clerk, Building Inspector, Town Engineer -
Notification of SEQR meeting to be held August 16, 2004 at 6:30 PM regarding site plan review of SBA Network Services, Inc, Penora Street Communication Tower. DISPOSITION = Received & Filed
397. Town Clerk to Various News Media -
Notification of SEQR meeting to be held August 16, 2004 at 6:30 PM regarding site plan review of SBA Network Services, Inc, Penora Street Communication Tower. DISPOSITION = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER MONTOUR AND CARRIED, the meeting was adjourned at 8:50 P.M.

Signed

A handwritten signature in dark ink, appearing to read 'Johanna M. Coleman', written over a horizontal line.

Johanna M. Coleman, Town Clerk